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CERTIFICATE OF TRANSMISSION BY FACSIMILE (37 CFR 1.8)

OFFICIAL

Applicant(s):	Thomas H. Quinn et al.	Docket No.	EI-084-US-02
Serial No.	09/300,544	Filing Date:	April 27, 1999
Examiner:	P. Mulcahy	Group Art Unit:	1713
Invention:	IMPROVED HOT MELTS UTILIZING A HIGH GLASS TRANSITION TEMPERATURE SUBSTANTIALLY SATURATED ALIPHATIC TACKIFYING RESIN		

I hereby certify that the following is being facsimile transmitted to the United States Patent and Trademark Office to Fax. No. 703-872-9310 :

1. Transmittal Letter (General – Patent Pending), 1 page;
2. Petition Under 37 CFR 1.47(a), Including Statement of Facts, 2 pages; and
3. Declaration Under 37 CFR 1.131, Including Exhibit 1, 15 pages.

02/27/2004
Date

LeeAn Molin
Signature of Person Signing Certificate

LeeAn Molin
Typed or Printed Name of Person Signing Certificate

21 Pages

TRANSMITTAL LETTER (General - Patent Pending)	Docket No. EI-084-US-02

In Re Application Of: **Thomas H. Quinn et al.**

Serial No.	Filing Date	Examiner	Group Art Unit
09/300,544	04/27/99	P. Mulcahy	1713

Title: **IMPROVED HOT MELTS UTILIZING A HIGH GLASS TRANSITION TEMPERATURE SUBSTANTIALLY SATURATED ALIPHATIC TACKIFYING RESIN**

TO THE COMMISSIONER FOR PATENTS:

Transmitted herewith is: **Petition Under 37 CFR 1.47(a), Including Statement of Facts, (2 pages); and Declaration Under 37 CFR 1.131, Including Exhibit 1, (15 pages).**

This is the submission following the filing of RCE that was faxed on 12/23/2003.

in the above identified application.

- ☐ No additional fee is required.
- ☐ A check in the amount of is attached.
- ☒ The Director is hereby authorized to charge and credit Deposit Account No. **06-2241** as described below.
 - ☒ Charge the amount of **$130.00**
 - ☒ Credit any overpayment.
 - ☒ Charge any additional fee required.

Bin Su
Signature

Dated: 02/27/04

Bin Su, Reg No. 51,309
H.B. Fuller
Patent Department
1200 Willow Lake Blvd.
P.O. Box 64683
St. Paul, MN 55164-0683
Phone No. 651-236-5502
Fax No. 651-236-5126

CERTIFICATE OF TRANSMISSION BY FACSIMILE

I hereby certify under 37 CFR § 1.8 that this correspondence is being transmitted to the United States Patent and Trademark Office, to Fax No. 703-872-9310 on 02/27/2004 (Date)

Signature LeeAn Molin

LeeAn Molin
Typed or Printed Name of Person Signing Certificate

cc:

TRANSMITTAL LETTER (General - Patent Pending)	Docket No. EI-084-US-02

In Re Application Of: **Thomas H. Quinn et al.**

Serial No.	Filing Date	Examiner	Group Art Unit
09/300,544	04/27/99	P. Mulcahy	1713

Title: **IMPROVED HOT MELTS UTILIZING A HIGH GLASS TRANSITION TEMPERATURE SUBSTANTIALLY SATURATED ALIPHATIC TACKIFYING RESIN**

TO THE COMMISSIONER FOR PATENTS:

Transmitted herewith is: **Petition Under 37 CFR 1.47(a), Including Statement of Facts, (2 pages); and Declaration Under 37 CFR 1.131, Including Exhibit 1, (15 pages).**

This is the submission following the filing of RCE that was faxed on 12/23/2003.

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- ☐ No additional fee is required.
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- ☒ The Director is hereby authorized to charge and credit Deposit Account No. 06-2241 as described below.
 - ☒ Charge the amount of **$130.00**
 - ☒ Credit any overpayment.
 - ☒ Charge any additional fee required.

COPY

Bin Su
Signature

Dated: 02/27/04

Bin Su, Reg No. 51,309
H.B. Fuller
Patent Department
1200 Willow Lake Blvd.
P.O. Box 64683
St. Paul, MN 55164-0683
Phone No. 651-236-5502
Fax No. 651-236-5126

CERTIFICATE OF TRANSMISSION BY FACSIMILE

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Signature LeeAn Molin

LeeAn Molin
Typed or Printed Name of Person Signing Certificate

cc:

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of: Quinn et al. Group Art Unit: 1713

Serial #: 09/300,544 Examiner: P. Mulcahy

Filed: April 27, 1999 Attorney Docket No.: EI-084-US-02

Title: Improved Hot Melts Utilizing a High Glass Transition Temperature Substantially Saturated Aliphatic Tackifying Resin

MS: RCE
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

PETITION UNDER 37 CFR 1.47 (a)

Sir:

Applicants respectfully petition the Commissioner for accepting the Declaration under 37 C.F.R. 1.131 submitted herewith. The Declaration has signed by all the inventors except inventor Thomas H. Quinn who has refused to sign.

Pursuant to 37 C.F.R.1.47 (a), the Petition is accompanied by the attached Statement of Facts, the fee set forth under 37 C.F.R. 1.17 (h), and the last known residence address of the non-signing inventor Thomas H. Quinn, which is 950 Fairmount Ave., St. Paul, MN 55105.

Please charge the fee, believed to be $130, to H.B. Fuller Deposit Account No. 06-2241.

Respectfully submitted,

Date: 02/27/04

Bin Su

Bin Su, Reg. No. 51,309

H.B. Fuller Company
1200 Willow Lake Boulevard
P.O. Box 64683
St. Paul, MN 55164-0683
Phone: (651) 236-5304
Fax: (651) 236-5126

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of: Quinn et al. Group Art Unit: 1713

Serial #: 09/300,544 Examiner: P. Mulcahy

Filed: April 27, 1999 Attorney Docket No.: EI-084-US-02

Title: Improved Hot Melts Utilizing a High Glass Transition Temperature Substantially Saturated Aliphatic Tackifying Resin

MS: RCE
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Statement of Facts

I, Kevin Burge, hereby declare and state that,

1. In the morning of December 17, 2003, I presented Mr. Thomas H. Quinn a copy of the Secrecy Agreement to be signed by him, a copy of the Declaration under 37 CFR 1.131 and its attachment to be signed by him, and a copy of the Specification including the pending claims at Mr. Quinn's business address: Adherent Laboratories, Inc, 1118 Red Fox Road, St. Paul, MN 55112. Mr. Quinn expressly stated that he would not sign the Declaration under 37 CFR 1.131.

2. All statements made herein of their own knowledge are true and that all statements made on information and belief are believed to be true; and further that statements are made with the knowledge that willful and false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that false statements may jeopardize the validity of the application or any patent issued thereon.

Date: Feb 30 2004

Kevin Burge

Global Technical Manager
Global Packaging Dept.
H. B. Fuller Company

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of: Thomas H. Quinn et al. Group Art Unit: 1713

Serial #: 09/300,544 Examiner: Peter Mulcahy

Filed: April 27, 1999 Attorney Docket No.: EI-084-US-02

Title: Improved Hot Melts Utilizing a High Glass Transition Temperature Substantially Aliphatic Tackifying Resin

MS: RCE
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

DECLARATION UNDER 37 CFR 1.131

Thomas H. Quinn, Steve W. Albrecht, Beth M. Eichler-Johnson, David B. Malcolm and Lisa L. Ryan declare:

1. That they are the applicants of the above-identified application

2. The invention claimed in the above-identified application was jointly conceived and reduced to practice in the United States of America prior to September 18, 1997, as indicated by the following facts, supported by the attached Exhibit 1.

3. All of the work described in Exhibit 1 was performed at H.B. Fuller Company, St. Paul, Minnesota, U.S.A., prior to September 18, 1997.

4. Exhibit 1 is a copy of H.B. Fuller Confidential Invention Disclosures entitled "Optimized EVA and Hydrogenated DCPD Packaging Product" and copies of 11 sheets of H.B. Fuller laboratory notebook pages, which contain a record of some of the early work on hot melt adhesives including a high glass transition temperature (Tg) substantially aliphatic tackifying resin by Thomas H. Quinn and Lisa L. Ryan, two of the declarants herein. The dates recorded on these documents have been blocked and are considered confidential at this point in time.

5. Exhibit 1 describes certain hot melt adhesive compositions that include a). about 10% by weight to about 50% by weight of at least one substantially aliphatic tackifying resin having a glass transition temperature of greater than 65°C; b). about 20% by weight to about 60% by weight of at least one thermoplastic base polymer; and c). 0% by weight to about 40% by weight of at least one wax. The tackifying resin concentration is less than the thermoplastic base polymer concentration.

6. Exhibit 1 also describes certain hot melt adhesive compositions that include a). about 10% by weight to about 50% by weight of at least one tackifying resin having a glass transition temperature of at least 65°C; b). about 20% by weight to about 60% by weight of at least one thermoplastic base polymer chosen from, for example, copolymers and terpolymers of ethylene, and amorphous polyalphaolefins; and c). 0% by weight to about 40% by weight of at least one wax. The tackifying resin concentration is less than the thermoplastic base polymer concentration.

7. Exhibit 1 further describes certain hot melt adhesive compositions that include a). about 10% by weight to about 50% by weight of at least one hydrocarbon tackifying resin derived, at least in part, from dicyclopentadiene and having a glass transition temperature of greater than 65°C; b). about 10% by weight to about 80% by weight of at least one thermoplastic base polymer chosen from, for example, copolymers and terpolymers of ethylene, and amorphous polyalphaolefins.

8. Exhibit 1 further describes certain hot melt adhesive compositions that include a). about 10% by weight to about 80% by weight of at least one aliphatic tackifying resin having a glass transition temperature of greater than 65°C; b). about 10% by weight to about 80% by weight of at least one thermoplastic base polymer chosen from, for example, copolymers and terpolymers of ethylene, and amorphous polyalphaolefins.

9. Exhibit 1 further describes certain hot melt adhesive compositions that include a). about 10% by weight to about 50% by weight of at least one substantially aliphatic tackifying resin having a softening point of greater than 140°C; b). about 20% by weight

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to about 60% by weight of at least one thermoplastic base polymer; and c). 0% by weight to about 40% by weight of at least one wax. The tackifying resin concentration is less than the thermoplastic base polymer concentration.

10. That all statements made herein of their own knowledge are true and that all statements made on information and belief are believed to be true; and further that statements are made with the knowledge that willful false statements and the like are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that false statements may jeopardize the validity of the application or any patent issued thereon.

Date: _____ Thomas H. Quinn _____

Date: 11/19/03 Steve W. Albrecht

Date: 11/19/03 Beth M. Eichler-Johnson

Date: 11/19/03 David B. Malcolm

Date: November 17, 2003 Lisa L. Ryan

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EXHIBIT 1

Cc: Tom Kauffman, Greg Carlson

To: Steve Albrecht, Beth Eichler, Kevin Burge

From: Tom Quinn

Subject: Optimized EVA and Hydrogenated DCPD Packaging Product

The direct replacement of EVA (28-400) for mPE in HL-9250 gave us a surprisingly good product that, to put into subjective terms, is perhaps 90% of the "quality" of HL-9250, based on PAFT and 0F adhesion data. Based on this initial benchmark, we conducted a DOX to see what the optimized EVA product would look like. The factors and ranges for the DOX were:

PX-100 Wax	0 to 30
155 Paraffin	0 to 30
Escorez 5615	0 to 55
ECR-158	0 to 45
EVA (28-400)	30 to 45

The wax was further sub-constrained from 10 to 30 and the resins from 25 to 45

The results of this DOX showed that there is indeed a region where the PAFT and adhesion performance approaches that of HL-9250. Unfortunately, there is too much error in the adhesion tests to simply use RS/1 to optimize the formula so I made up several samples from the overall optimum region of the design and retested them several times to see which was best.

Ironically, the best formula I could find is the original HL-9250 analog using all ECR-158 as the resin. The formula and properties for this product, 5696-41-3 is:

PX-100	30
ECR-158	30
EVA (28-400)	39.7
Irganox 1010	0.3

Vis @300F	1825 cps
Vis @325F	1260 cps
Vis @350F	905 cps
PAFT	140F
Bonds @0F	70% FT
Color	water-white

Regards,
Tom Quinn

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ST. PAUL, MINNESOTA
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BOOK 5656

PAGE 38

H.B. Fuller Company
RESEARCH NOTEBOOK
CONFIDENTIAL

TITLE OF EXPERIMENT: EVA version of HL9250 DATE:

LABORATORY LOCATION: W.L. PROJECT NO.: —

OBJECTIVE OF EXPERIMENT: —

	(1)	HL9250	(2)	(3)
PX100	30		30	30
Escorez 5615	29.5			
Escorez 5600			29.5	
EVA 28/500	40.0		40	40
ECR-179G*				29.5
TiO2 0.10	0.5		0.5	0.5
PAFT	142F	142F		
0°C Bonds	20%	80%		
Vis@350	900 cps	800 cps		
Vis@350 After 144 hrs@350	905 cps	835 cps		
Tg of polyacrylate comb	-4°C	-14C	-8C	-13C
DSC Tg	18C	9C	11C	7C

Adhesion data on different board stock at 0°C shows Hot melt from samples are indistinguishable with about 80% fiber tear.

* 85°C M.P. Escorez 5600

CHEMIST: Thomas Quinn DATE:

Read and/or explained to me and understood by me this ____ day of ____ 19 ____

BOOK 5696

PAGE 40

H.B. Fuller Company
RESEARCH NOTEBOOK
CONFIDENTIAL

TITLE OF EXPERIMENT: Escorez 5615/ECR-158/EVA/wax DATE:

LABORATORY LOCATION: — PROJECT NO.: —

OBJECTIVE OF EXPERIMENT: —

5696-40-	5696-39	EVA 28/400	Escorez 5615	ECR-158	PX100	155 Paraffin	Vis@350	PAFT	Bonds 0C
1		45	0	45	0	10	2800	135	
2		30	0	40	30	0	495	155	
3	7	30	55	0	15	0	875	146	0
4		30	40	0	0	30	345	117	
5	3	45	25	0	30	0	1330	125	79
6		30	0	55	7.5	7.5	780	142	
7	4	45	45	0	10	0	2150	133	58
8		35	27.5	27.5	10	0	1400	150	
9		45	25	0	0	30	925	103	
10		30	0	40	0	30	370	110	
11		30	27.5	27.5	0	15	650	133	
12	10	40	40	0	20	0	1170	141	37
13	2	45	45	0	10	0	2415	132	35
14		45	0	25	15	15	1090	113	
15	6	45	35	0	20	0	1585	144	46
16	1	30	40	0	30	0	440	140	0
17	8	45	35	0	30	0	1140	123	72
18	9	30	40	0	30	0	440	144	2
19	11	35	55	0	10	0	1310	142	0
20	5	37	33	0	30	0	860	140	6

Lot #'s

PX-100 95/99 BHT

ECR-158 970119-1-1

155 Paraffin

EVA 20-49420

Escorez 5615 960808-3-2

CHEMIST: Thomas Quinn DATE:

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H.B. Fuller Company
RESEARCH NOTEBOOK
CONFIDENTIAL

BOOK 5696
PAGE 41

TITLE OF EXPERIMENT: Follow-up on page 40 Dox DATE:

LABORATORY LOCATION: PROJECT NO.: —

OBJECTIVE OF EXPERIMENT: —

	(1)	(2)	(3)	(4)	(5)	(6)
PX100	25	25	30	25	25	30
ECR158	30	35	30			
~~Escorez~~						
EVA 28/400	45	40	40	45	40	40
TRS 1010	0.3	0.3	0.3	0.3	0.3	0.3
Escorez 5615				30	35	30
Vis @ 350	1350 cps					
PAFT 1st	136F ±1	133	142			
2nd	128F	130	136		137	136
Bond, @ OF	73%	137	138			
		79%	71%			
Tensile @ 140F		166±11psi	177±9			172±4
Elong @ Break						

HL 5250 Control Tensile @ 140F = 150±6

CHEMIST: Thomas Quinn DATE:

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BOOK 60[illegible]

PAGE 4

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RESEARCH NOTEBOOK
CONFIDENTIAL

TITLE OF EXPERIMENT: 93-13 DATE:

LABORATORY LOCATION: Willow Lake PROJECT NO.: 13593

OBJECTIVE OF EXPERIMENT:

6049-4-1

80% Rextac RT 2180
10% Benzoflex 352
10% Eastotac H-130

6049-4-2

80% Rextac RT 2180
10% Benzoflex 352
10% Eastotac H-130

6049-4-3

70% Rextac RT 2180
10% Benzoflex 352
20% Eastotac H-130

CHEMIST: Lisa L. Ryan DATE: 10/14/93

H.B. Fuller Company
RESEARCH NOTEBOOK
CONFIDENTIAL

BOOK 60
PAGE 7

TITLE OF EXPERIMENT: 73-13 DATE:

LABORATORY LOCATION: Willow Lake PROJECT NO.: 13593

OBJECTIVE OF EXPERIMENT: Establish ranges

6049-7-1

30% Vestoplast 828
10% Benzoflex 352
60% Eastotac H-130R

Lot #

Brookville 8/97
V 56305 MT 50
81053

6049-7-2

~~50~~ 40% Vestoplast 828
35% Benzoflex 352
25% Eastotac H100R

6049-7-3

40% Vestoplast 828
30% Benzoflex 352
30% Eastotac H-100R

CHEMIST: Lisa L. Ryan DATE:

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BOOK 6049
PAGE 9

TITLE OF EXPERIMENT: 93-13 DATE:

LABORATORY LOCATION: Willow Lake PROJECT NO.: 13593

OBJECTIVE OF EXPERIMENT: Ranges for Ingredients for Application

6049-9-1
40% Vestoplast 828
30% Benzoflex 352
30% Eastotac H-100R H-100R

6049-9-2
50% Vestoplast 828
30% Benzoflex 352
20% Eastotac H-130R

6049-9-3
60% Vestoplast 828
40% Benzoflex 352

6049-9-4
60% 50% Vestoplast 828
40% Benzoflex 352
10% Indopol H-300

6049-9-5
50% Vestoplast 828
40% Benzoflex 352
10% Eastotac H-130L

6049-9-6 ✓
40% Vestoplast 828
30% Benzoflex 352
30% ECR 168

CHEMIST: Lisa L. Lyon DATE:

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BOOK 60[illegible]

PAGE 10

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TITLE OF EXPERIMENT: 93-13 DATE:

LABORATORY LOCATION: Willow Lake PROJECT NO.: 13593

OBJECTIVE OF EXPERIMENT: Peels + Shears

	100g Peels		500g Shears
6049-9-1	140		187
	152		184
	156	151	187
	156		
	150		
6049-9-2	90		201
	115		202
	111		195
	127		
	82		
6049-9-3	147		188
	149		186
	154		186
	150		
	146		
6049-9-4	127		194
	103		190
	127		
	124		
	120		

CHEMIST: Lisa L. Ryan DATE:

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BOOK 6049
PAGE 11

TITLE OF EXPERIMENT: 93-13 DATE:

LABORATORY LOCATION: Willow Lake PROJECT NO.: 13593

OBJECTIVE OF EXPERIMENT: Peels + Shears

	100g Peels	500g Shears
	0	0
6049-9-5	104	214
	156	214
	103	210
	102	
	107	
6049-7-6 X	164	197
	167 (166)	196
	168	194
	163	
	167	

CHEMIST: Lisa L. Ryan DATE:

Read and/or explained to me and understood by me this ___ day of ___, ___ 19___

BOOK 6044

PAGE 12

H.B. Fuller Company
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CONFIDENTIAL

TITLE OF EXPERIMENT: 93-13 DATE:

LABORATORY LOCATION: Willow Lake PROJECT NO.: 13593

OBJECTIVE OF EXPERIMENT:

6049-12-1

80% Rextac RT 2180
10% Benzoflex 352
10% Eastotac H 130
Escorez ECR 158

6049-12-2

80% Rextac RT 2180
10% Benzoflex 352
10% Eastotac H-130
Escorez ECR 158

6049-12-3

30% Vestoplast 828
40% Benzoflex 352
30% Escorez ECR 158

ECR 158 Lot # 9706IB-4-A
Benzoflex 352 Lot # V 56.305 MI - 30

CHEMIST: Lisa L. Ryan DATE: 1/11

Read and/or explained to me and understood by me this

H.B. Fuller Company
RESEARCH NOTEBOOK
CONFIDENTIAL

BOOK 6049
PAGE 13

TITLE OF EXPERIMENT: 93-13
DATE:
LABORATORY LOCATION: Willow Lake
PROJECT NO.: 13593
OBJECTIVE OF EXPERIMENT: Test ECR-158

6049-13-1	6049-13-2	6049-13-3
50% Vestoplast 828	50% Vestoplast 828	50% Vestoplast 828
10% Eastotac H-300 (Paraprol 1300)	10% Paraprol 1300	10% Paraprol 1300
10% Benzoflex 352	10% Benzoflex 352	10% Benzoflex 352
30% ECR 158	30% Eastotac H130	30% Findex 155

Lot # 15

Vestoplast 828 952337
ECR 158 (Eastotac H100R) 97-0516-5-A
Eastotac H130 96-208
Eastotac H100R 96-240
Benzoflex 352 K-2006 MI-30
Findex 155 C21-0550
Paraprol 1300 H6044-82

CHEMIST: Lisa L. Ryan
DATE: 1/1/1
Read and/or explained to me and understood by me this _ day of _, 19 _

H.B. Fuller Company
RESEARCH NOTEBOOK
CONFIDENTIAL

BOOK 6049
PAGE 15

TITLE OF EXPERIMENT: 93-13 DATE:

LABORATORY LOCATION: Willow Lake PROJECT NO.: 13593

OBJECTIVE OF EXPERIMENT:

6049-15-1

35% Vestoplast 828
35% Benzoflex 352
30% ECR 158

6049-15-2

70% Eastac MT 2188
10% Benzoflex 352
20% Escorez ECR 15[illegible]

CHEMIST: Lisa L. Pilger DATE:

Read and/or explained to me and understood by me this day of 19